

REMARKS

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 1-4, 6-9 and 11-14 are now present in the application. Claims 1, 6 and 11 have been amended. Claims 5, 10 and 15 have been cancelled. Claims 1, 6 and 11 are independent. Reconsideration of this application, as amended, is respectfully requested.

Reasons For Entry Of Amendments

As discussed in greater detail hereinafter, Applicants respectfully submit that the rejection under 35 U.S.C. § 102(e) is improper and should immediately be withdrawn. Accordingly, the finality of the Final Office Action mailed on July 6, 2005 should be withdrawn.

In particular, claims 1, 6 and 11 have been amended to incorporate the allowable subject matter of claims 5, 10 and 15. Therefore, it is believed that no new issue should be raised. In accordance with the requirements of 37 C.F.R. §1.116, Applicants respectfully request entry and consideration of the foregoing amendments as they remove issues for appeal.

Allowable Subject Matter

The Examiner has indicated that dependent claims 5, 10 and 15 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. Applicants greatly appreciate the indication of allowable subject matter by the Examiner.

By the present amendment, independent claims 1, 6 and 11 have been amended to incorporate the allowable subject matter of dependent claims 5, 10 and 15, as discussed hereinbelow.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-4, 6-9 and 11-14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Hanaoka, U.S. Patent No. 6,736,496. This rejection is respectfully traversed.

As mentioned, independent claims 1, 6 and 11 have been amended to include the subject matter of dependent claims 5, 10 and 15, respectively, which were indicated by the Examiner as including allowable subject matter. Accordingly, it is believed that claims 1, 6, 11 and their dependent claims are in condition for allowance. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 102 are respectfully requested.

CONCLUSION


It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Joe McKinney Muncy, Registration No. 32,334 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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